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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Pierre GINIES

Group Art Unit: 3748

Application No.: 10/689,985

Examiner: T. TRIEU

Filed: October 22, 2003

Docket No.: 116491

For: GUIDE DEVICE FOR THE MOVABLE SCROLL OF A SCROLL COMPRESSOR

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Election of Species Requirement mailed April 14, 2005, Applicant provisionally elects Figures 1-4. Applicant submits that claims 1-4, 8, 10, 11 and 12 read on elected Figures 1-4. This election is made with traverse.

It is respectfully submitted that the subject matter of all species is sufficiently related that a thorough search for the subject matter of the elected species would encompass a search for the subject matter of the remaining species. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which is stated that "If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions." (Emphasis added). It is respectfully submitted that this policy should apply in the present application to avoid unnecessary delay and expense to Applicant and duplicative examination by the U.S. Patent and Trademark Office.

In view of the foregoing, it is respectfully submitted that claims 1-16 can be examined without undue burden on the Examiner. Accordingly, it is respectfully requested that the Election of Species Requirement be withdrawn.

Respectfully submitted,



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WPB:SMS/sxb

Date: May 5, 2005

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